

SENATE BILL 2575

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 2,
Chapter 13 and Title 2, Chapter 1, relative to
political parties.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Fiscally Responsible
Equal Election Diversification Optimization Measures (FREEDOM) Act".

SECTION 2. Tennessee Code Annotated, Section 2-1-104(a)(24), is amended by
deleting subdivision (a)(24) in its entirety and substituting instead the following:

(24) "Recognized minor party" means any group or association that has
successfully filed with the coordinator of elections the documents required of a political
party in § 2-1-114 by the deadlines prescribed in § 2-13-107(e)(1) and (2);

SECTION 3. Tennessee Code Annotated, Section 2-13-107, is amended by deleting the
section in its entirety and substituting instead the following:

2-13-107.

(a) To be recognized as a minor party for purposes of a primary election or
general election, documents as required in § 2-1-104 must be filed no later than twelve
o'clock (12:00) noon, prevailing time, on the appropriate qualifying deadline as
established in § 2-5-101(a) in the office of the coordinator of elections. At the same time
the minor party shall in writing inform the coordinator of elections if the party will be
nominating candidates by primary or convention.

(b) Within ten (10) days after receipt of such documents, the coordinator of
elections shall determine the sufficiency of the documents, and if the documents are
found sufficient the minor party shall be recognized with all rights and obligations

declared in this section. The coordinator of elections shall inform the minor party that they have been recognized.

(c) Candidates seeking to represent a recognized minor party that has chosen to select their candidates by a primary must file nominating petitions as any other candidate for the desired office no later than twelve o'clock (12:00) noon, prevailing time, on the appropriate qualifying deadline as established in § 2-5-101(a).

(d) Candidates seeking to represent a recognized minor party that has chosen to nominate its candidates by convention must file nominating petitions as any other candidate for the desired office no later than twelve o'clock (12:00) noon, prevailing time, on the appropriate qualifying deadline as established in § 2-13-107(e)(1).

SECTION 4. Tennessee Code Annotated, Section 2-13-203, is amended by deleting the section in its entirety and substituting instead the following:

2-13-203.

(a) Statewide political parties may nominate their candidates for any office other than those listed in § 2-13-202 by any method authorized under the rules of the party or by primary election under this title.

(b)

(1) Recognized minor parties may nominate their candidates for any office by any method authorized under the rules of the party or by primary election under this title.

(2) After being nominated by a recognized minor party a candidate shall be certified upon submitting a certificate of nomination from the recognized minor party with the county or state coordinator of elections and obtain and successfully file a sufficient nominating petition as any other candidate for the desired office no later than twelve o'clock (12:00) noon, prevailing time, on the appropriate qualifying deadline as established in § 2-5-101(a).

(c) Persons nominated other than by primary method for offices to be filled by the voters of one (1) county or any part of a county shall be certified by the chair of the

nominating body to the county election commission by submitting nominating petitions and a certificate of nomination from their party by qualifying deadlines as established in § 2-5-101(a).

(d) Persons nominated other than by primary method for offices to be filled by the voters of more than one (1) county, for state or federal office or for statewide office, shall be certified upon submitting a certificate of nomination from the recognized minor party with the county or state coordinator of elections and obtain and successfully file a sufficient nominating petition as any other candidate for the desired office no later than twelve o'clock (12:00) noon, prevailing time, on the appropriate qualifying deadline as established in § 2-5-101(a). The coordinator of elections shall thereafter certify such nominees to the county election commission in each county in which the nominees are candidates by the qualifying deadline.

(e)

(1) If a statewide political party decides to nominate by primary election under this section, the county executive committee shall, at least ninety (90) days before the qualifying deadline, direct, in writing, the county election commission of each county whose voters are entitled to vote to fill the office to hold the election. If the ninetieth day falls on a Saturday, Sunday or legal holiday, the deadline shall be the next regular business day.

(2) If a nonrecognized minor party seeking recognition as a recognized minor party decides to nominate by primary election under this section, the officers of the nonrecognized minor party shall file a notice with the coordinator of elections of its intent to nominate by primary election by twelve o'clock (12:00) noon, prevailing time, by the qualifying deadline established in subdivision (e)(1). The notice shall be in writing and shall be signed by two (2) officers with authority

to act for the party. The notice shall be notarized and contain the following statement:

We _____, and _____, officers of the _____ Party certify under penalty of perjury that we are authorized to act for the _____ Party.

(3) Primaries, if any, for nominating candidates for any office which will appear on the regular August election ballot shall be held on the first Tuesday in May before the August election. In the years in which an election will be held for president of the United States, any political party primary for offices to be elected in the regular August election may be held on the same day as the presidential preference primary. In such event, the qualifying deadline for candidates and for delegate-candidates shall be twelve o'clock (12:00) noon, prevailing time, on the date established in § 2-5-101(a)(2).

(f) Notwithstanding any provisions of this section or any other law to the contrary, by resolution adopted by a two-thirds (2/3) vote of the county legislative body of any county having a population in excess of eight hundred twenty-five thousand (825,000), according to the 1990 federal census or any subsequent federal census, the county legislative body may require that all elections to fill state trial court judgeships and county judicial offices in such county shall be conducted in a nonpartisan manner.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring

it.